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UNITED STATES. No. 2 (1884).

## CORRESPONDENCE

WITH THE

## UNITED STATES' GOVERNMENT

RESPECTING THE

## SENTENCE

PASSED UPON THE

## CONVICT O'DONNELL.

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*Presented to both Houses of Parliament by Command of Her Majesty.*  
1884.

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Correspondence with the United States' Government respecting  
the Sentence passed upon the Convict O'Donnell.

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No. 1.

*Earl Granville to Mr. West.*

Sir,

THE United States' Minister called upon me this afternoon, and, in the course of conversation, asked me whether Her Majesty's Government were desirous of commuting the capital sentence passed on O'Donnell for the murder of James Carey.

I said that I had heard nothing to lead me to believe that such a desire or intention existed, but that I would make inquiries, and let him know the result.

After communicating with the Secretary of State for the Home Department, I have sent an answer to Mr. Lowell in the negative.

I am, &c.  
(Signed) GRANVILLE.

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No. 2.

*Mr. Lowell to Earl Granville.—(Received December 12.)*

My Lord,

*Llegation of the United States, London, December 12, 1883.*

I HAVE the honour to acquaint you that I have just received from Mr. Frelinghuysen an important telegram, to which I beg to ask your Lordship's immediate and earnest attention. It informs me that the House of Representatives of the United States, no one dissenting, has brought the case of O'Donnell to the notice of the President, in the hope that he may secure reasonable delay in the execution of the sentence recently pronounced upon that prisoner, and ascertain whether he is a citizen of the United States, and that there was no error in the trial. The despatch states that I shall consider O'Donnell's citizenship to be established. It then proceeds to say, that there being in Great Britain no judicial examination on appeal of the proceedings at a criminal trial, possible error can only be corrected through a new trial, or by executive action upon the sentence; therefore, that the Government of the United States is anxious that such careful examination be given to the proceedings in this case as to discover error should one have been committed. I am, therefore, directed by the President, and I have the honour, in pursuance of such direction, to request a delay in the execution of the sentence upon O'Donnell, and that a careful examination of the case be made by Her Majesty's Government, and that the prisoner's counsel be permitted to present any alleged points of error.

I have, &c.  
(Signed) J. R. LOWELL.

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No. 3.

*Earl Granville to Mr. Lowell.*

Sir,

I HAVE had the honour to receive your letter of yesterday's date, stating that you had been directed by the President of the United States to request a delay in the execution of the sentence recently passed upon the prisoner O'Donnell, and that a careful examination of the case be made by Her Majesty's Government, and that the

prisoner's counsel be permitted to present any alleged points of error that may have been taken in the judicial proceedings.

In reply, I beg leave to state to you that I have referred this application to the proper authorities of Her Majesty's Government, and that I shall address a further communication to you on the subject.

I have, &c.  
(Signed) GRANVILLE.

## No. 4.

*Earl Granville to Mr. Lowell.*

Sir,

WITH reference to my letter of the 13th instant, I have now the honour to state to you that the counsel for O'Donnell having submitted such representations as he thought advisable on behalf of the prisoner, these representations and all the other circumstances of the case have been carefully examined and considered in the manner usual in the case of capital convictions, and Her Majesty's Government find no grounds upon which they would be justified in advising the Crown to interfere with the sentence of the law or its execution.

I am, &c.  
(Signed) GRANVILLE.

## No. 5.

*Earl Granville to Mr. West.*

Sir,

WITH reference to my despatch of the 10th instant, I transmit herewith, for your information, copies of the correspondence marked in the margin\* relative to an application made by desire of the President of the United States, through Mr. Lowell, for a delay in the execution of the sentence passed on the prisoner O'Donnell, and for a careful examination of the case by Her Majesty's Government.

I am, &c.  
(Signed) GRANVILLE.

## No. 6.

*Mr. Lowell to Earl Granville.—(Received December 19.)*

My Lord,

*Legation of the United States, London, December 17, 1883.*

I HAVE the honour to acknowledge the reception of your Lordship's note of the 15th instant in relation to the case of Patrick O'Donnell, and I beg to acquaint you that I at once communicated the text of it by telegraph to Mr. Frelinghuysen at Washington.

I have, &c.  
(Signed) J. R. LOWELL.

\* Nos. 2, 3, and 4

Correspondence with the United States' Government respecting the Sentence passed upon the  
Captain O'Donnell.

Promised to book *Review of Parliament* by Gov.  
name of Her Majesty. 1854.